

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

)
AMERICAN EMPIRE SURPLUS LINES)
INSURANCE COMPANY, as subrogee of)
FROCK BROS. TRUCKING, INC.,) Case No. 08 CV 2799
)
Plaintiff,) Judge Dow
)
v.) Magistrate Valdez
)
CUMMINS INC.,)
)
Defendant.)

STIPULATION OF EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD

Plaintiff American Empire Surplus Lines Insurance Company and Defendant Cummins Inc. hereby stipulate and agree that Cummins shall have until Thursday, June 19, 2008, to answer or otherwise plead in response to Plaintiff's Complaint. This is the first extension requested in this matter.

STIPULATED AND AGREED TO BY:

/s/ Brendan J. Healey
Brendan J. Healey
Mandell Menkes LLC
333 West Wacker Drive, Ste. 300
Chicago, IL 60606
Tel: (312) 251-1000

Counsel for Defendant Cummins Inc.

/s/ Robert Ostojic
Robert Ostojic
Leahy, Eisenberg & Fraenkel, Ltd.
161 North Clark Street, Suite 1300
Chicago, IL 60601
Tel: (312) 368-4554

Counsel for Plaintiff American Empire Surplus Lines

Dated: May 20, 2008

CERTIFICATE OF SERVICE

This is to certify that I have this date served a true and correct copy of the foregoing *Stipulation of Extension of Time to Answer or Otherwise Plead* on:

Robert Ostojic
Leahy, Eisenberg & Fraenkel, Ltd.
161 North Clark Street, Suite 1300
Chicago, IL 60603

via ECF on this 20th day of May, 2008.

/s/ Brendan J. Healey
Brendan J. Healey

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